IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

WP(C).No. 31771 of 2006(G)

PETITIONER:

T.SURESH BABU, AGED 39 YEARS,
S/O.P.GOVINDANKUTTY NAIR, THE LATE
MADATHIL HOUSE, VAYAPARAPADI, MANJERI,
MALAPPURAM DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN

RESPONDENTS:

1.THE MANJERI MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, MANJERI.

2.THE BLOCK DEVELOPMENT OFFICER,
AREECODE BLOCK, AREECODE, MALAPPURAM DISTRICT.

3.SHAMSUDHIN, S/O.KUNHI MOHAMMED HAJI,
THARAMANNIL MELETHIL, 22ND MILE, MANJERI.

R2 BY GOVT. PLEADER MR.MATHEW G.VADAKKEL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.31771 of 2006

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Dated: 1st December, 2006

JUDGMENT

The grievance of the petitioner is that on account of the construction of the road in a negligent manner by the third respondent who has constructed the same on behalf of the 1st respondent-Municipality, the petitioner's compound wall on the southern side of the property collapsed. According to the petitioner, the 1st respondent-Municipality and the third respondent are liable to compensate him.

2. I do not propose to say anything on the merits of the matter. Ext.P1 representation has been submitted by the petitioner before the 2nd respondent. The 2nd respondent will take up Ext.P1 immediately, issue notice to the petitioner and also to respondents 1 and 3, hear them and take a correct and just decision on Ext.P1 at his earliest and at any rate within six weeks of his receiving a copy of this judgment.

The Writ Petition will stand disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**